In the High Court of Punjab and Haryana, Chandigarh

C.W.P. No. 11085 of 2005

Date of Decision: 15.12.2006

Sudershan Kumar

…Petitioner

Versus

State of Haryana and others

…Respondents

CORAM: HON'BLE MR. JUSTICE M.M. KUMAR

HON'BLE MR. JUSTICE M.M.S. BEDI

PRESENT: Mr. H.P.S. Ishar, Advocate,
for Mr. J.S. Maanipur, Advocate,
for the petitioner.

Mr. Harish Rathee, Sr. DAG, Haryana,
for the respondents.

JUDGMENT

M.M. KUMAR, J. (Oral)

Learned counsel for the petitioner states that the petitioner may be given the relief in terms of the judgment rendered by the Hon'ble Supreme Court in the case of **Commissioner and Secretary to Government of Haryana v. Ram Sarup Ganda**, (Special Leave to Appeal (Civil) No. 20264 of 2004, decided on 2.8.2006). It is undisputed that the rules known as Haryana Civil Service (Assured Career Progression Scheme) Rules, 1998, have been interpreted by Hon'ble the Supreme Court in the aforementioned

judgment. In the case of **H.R. Goel v. State of Haryana and others** (C.W.P. No. 7551 of 2003, decided on 7.12.2006), learned State counsel has placed on record a copy of instructions dated 23.11.2006 for implementation of judgment of Hon'ble the Supreme Court in the case of Ram Sarup Ganda (supra) and directing all the Heads of the Departments to revise the pay scale of persons like the petitioner by stepping up the same at par with their junior. Therefore, it is conceded position that the writ petition deserves to be disposed of in terms of the judgment of Hon'ble the Supreme Court, which also stipulate the payment of all benefits within the stipulated period and restrain the respondent State from making any recovery in case any excess amount has been paid to an employee.

Accordingly, the instant petition is allowed. The needful shall be done in accordance with the time schedule given by Hon'ble the Supreme Court.

(M.M. KUMAR)
JUDGE

(M.M.S. BEDI)
JUDGE

December 15, 2006
Pkapoor